

Marshall

FILED

MAR 25 2011

UNITED STATES DISTRICT COURT

for the

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERKUnited States of America
v.
Wilibaldo CABALLERO-Valencia

Case No.

A-11-m-224

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03-24-2011 in the county of Travis in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18 USC 1546 (a)

Knowingly Possess an Alien Registration Receipt Card
Bearing his Photograph and Name Knowing the same to
be Counterfeited and Falsely Made.

This criminal complaint is based on these facts:

See Attachment.

☒ Continued on the attached sheet.[Signature]
Complainant's signature
Jason Johnston, DEA Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 3/25/11[Signature]
Judge's signature
Andrew Austin, U.S. Magistrate Judge
Printed name and titleCity and state: Austin, Texas

COMPLAINT ATTACHMENT

1. On March 17, 2011, DEA Mobile, Alabama Agents informed DEA Austin Agents that Wilibaldo CABALLERO-Valencia had approximately \$1,029,000.00 in USC seized from him during a traffic stop conducted by Alabama State Troopers. DEA Alabama later learned CABALLERO resided in Austin, TX at 11304 Ptarmigan Drive #A, Austin, Texas and subsequently informed Austin RO Agents.

2. On March 23, 2011, based on the information received from DEA Alabama Agents a Round Rock PD certified K-9 conducted a free air sniff on the outside of the residence and the K-9 gave a positive alert for the presence of narcotics on the front door and the garage.

3. On March 24, 2011, Austin DEA Agents obtained and executed a Federal Search Warrant for documents on CABALLERO's residence located at 11304 Ptarmigan Drive #A, Austin, Texas.

4. Just before the Federal Search Warrant was executed, CABALLERO was observed by surveillance departing his residence and was subsequently detained by Agents and brought back to the residence pending the outcome of the investigation.

5. A search of the residence incident to the search warrant revealed two fraudulent Alien Registration Receipt Cards (Form I-151) bearing Alien Numbers A-41-573-099 and A-34-224-425 with CABALLERO's facial photograph on them inside the right inner pocket of a dark blue sport jacket found inside the master bedroom closet.

6. DEA Agents contacted ICE Agent Robert Yarbrough and he conducted a CIS database check on both Alien Numbers. The query revealed that A-41-573-099 came back to a person named Alvin Smith, DOB: 10-09-1908, born in the country of Panama and A-34-224-425 came back to a person named Jorge L. CABALLERO with DOB: 06-27-1952. Agent Johnston also sent a photograph of the fraudulent Alien Registration Receipt Cards to Agent Yarbrough and he determined based on the looks of the cards that they were both fraudulent.

7. Based on the fraudulent federal documents, CABALLERO was arrested and admitted during questioning that he was an illegal alien. Agents also found Mexican documentation that CABALLERO was born in Aguililla, Michoacán. CABALLERO was read his Miranda Warning by Senior Financial Investigator Mario Ramirez in Spanish via DEA-13a form and he admitted that he was illegally utilizing several social security numbers because he was illegally in the United States. CABALLERO also stated he used one of the social security numbers to obtain his black 2004 BMW, which Agents located in the garage of the residence.